

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING
ROOM 113
THURSDAY, MARCH 23, 2000
8:15 A.M.**

Commissioners Present: Kathy Campbell, Chair
Linda Steinman
Larry Hudkins
Bob Workman
Bernie Heier

Others Present: Kerry Eagan, Chief Administrative Officer
Dave Kroeker, Budget & Fiscal Officer
Dave Johnson, Deputy County Attorney
Bruce Medcalf, County Clerk
Ann Taylor, County Clerk's Office

AGENDA ITEM

1 APPROVAL OF STAFF MEETING MINUTES OF TUESDAY, MARCH 7, 2000

MOTION: Hudkins moved and Heier seconded approval of the Staff Meeting minutes dated March 7, 2000. Hudkins, Heier, Workman and Campbell voted aye. Steinman abstained from voting. Motion carried.

2 ADDITIONS TO THE AGENDA

a. Report on Nebraska Wesleyan University Master Plan

MOTION: Heier moved and Steinman seconded approval of the addition of the agenda. Heier, Steinman, Workman, Hudkins and Campbell voted aye. Motion carried.

3 COMMISSIONERS MEETING REPORTS

a. General Assistance Monitoring Committee - Campbell

Campbell reported that discussion focused on housing. She said the housing allocation is not being spent and a review of the eligibility guidelines was suggested.

b. Community Mental Health Advisory Committee - Steinman

Steinman said discussion focused on:

- LB 1217, which would increase funding of mental health providers
- Relocation of the Adams Street Center
- Decision to open the Community Mental Health Center facility on the second and fourth Wednesday evenings each month to provide an opportunity for visiting artists to work with clients on art projects. A similar writing program may be established in the future.
- Region V's initiation of unit cost audits

c. Board of Corrections - Heier

Heier reported on an incident in which an inmate in the Corrections facility broke 14 windows in that facility, with damage exceeding \$100,000.

4 LEGISLATIVE UPDATE - Gordon Kissel, Legislative Consultant

Gordon Kissel, Legislative Consultant, gave a legislative update (Exhibit A), noting the following:

- A veto of LB 652, which provides for a juvenile correctional facilities master plan and payment of juvenile boarding costs by the State, is anticipated. He said it appears there is sufficient support to override a veto.

Campbell briefly reported on a meeting several county officials had with Governor Johanns on the bill. She said the Governor has indicated that his opposition to the bill is based on budget considerations. Campbell said the Governor and Department of Health and Human Services (HHS) contend this is a shift of responsibility for costs and counties will see a reduction in their restricted revenues as a result.

Dave Kroeker, Budget & Fiscal Officer, said juvenile boarding costs are a General Fund expenditure. He added that the County could make a valid claim that a mix of restricted and non-restricted revenues are used for these costs, although some reduction of restricted revenues will likely result.

Campbell said it was also pointed out in the meeting that the State has the ability to draw down federal aid, while counties must rely on property tax for funding.

Board members will each contact members of the Lancaster County delegation to urge support of the bill.

- LB 628, which requires provision of copies of public records at actual costs, was advanced to Final Reading. The bill was amended to increase the response time from three to four days.
- Discussions continue on LB 1138, which changes provisions relating to State aid to political subdivisions. Inclusion of crime statistics as an indicator of county costs has been suggested.
- LB 1365, which authorizes the issuance of building permits for farmstead residences, has been amended into LB 968, a clean-up bill.

Terry Adams, Deputy County Treasurer, said LB 968 also includes language to allow partial payment of any delinquent property tax. He suggested that the bill be amended to remove this language.

MOTION: Hudkins moved and Workman seconded to support an amendment to remove the partial payment of property tax language from LB 968. Hudkins, Workman, Steinman, Heier and Campbell voted aye. Motion carried.

5 DISCUSSION OF LANCASTER COUNTY CONSOLIDATION COMMITTEE REPORT

Register of Deeds

Dan Nolte, Register of Deeds, read a statement into the record on explaining his views on the recommended consolidation of his office with that of the County Assessor (Exhibit B). He noted that meetings between the two offices are ongoing and a plan to coordinate paperwork between the two offices has been implemented. Meetings will also be held with various offices regarding participation by the Register of Deeds in the Geographic Information System (GIS), parcel I.D. numbering and alternate key systems. A closer coordination of technologies between various offices is also planned.

In response to a question from Hudkins, Nolte said his office generated approximately \$950,000 in revenue this year. He also noted that productivity has increased over the last ten years.

Nolte also stated that he believes consolidation planning should involve the City-County Common and Mayor's office and include assessment of other offices and functions.

County Assessor

Norm Agena, County Assessor, said his office is statutorily charged with maintaining a cadastral map (identifies ownership within legal boundaries and plots) and each deed must be checked for accuracy . He said approximately 25 percent of the deeds have problems and must be researched in further detail. Agena said consolidation will provide an opportunity to inform customers of problems with the deed at the point of filing and provide one-stop convenience. It will also provide an opportunity for cross-training of staff, the ability to flag problem deeds for County Engineering, and will eliminate duplication of data entry.

Agena said Brian Pillard, Records & Information Manager, has agreed to look at the Register of Deeds' imaging systems and assess whether his department can assist with imaging duties, which would free up staff.

Robin Hendricksen, Chief Administrative Deputy Assessor, said merger will also provide an opportunity for deeds to be attached to the legal parcel by utilizing the Geographic Information System (GIS) at the point of filing. This will benefit County Engineering, as well.

Hudkins questioned why these efficiencies can not be implemented without a take-over of office.

Hendricksen said a lack of communication resulted in the Register of Deeds' office having a system that is not compatible with the GIS.

Workman asked whether the duplication of entry serves as a check and balance system.

Agena said no.

Workman asked whether consolidation would cause staff reductions.

Agena said he could not answer that at this time.

In response to a question to a question from Hudkins, Agena said fee collection in his office averages \$4,000 - \$5,000 annually.

Hudkins noted concern that the assessment function may be turned over to the State at some point in the future, which would result in a loss of revenue to the County.

Eagan said the revenue would be returned to the County in the distribution formula, should a take-over occur.

The Board scheduled discussion of *Recommendation 4: All county records management functions should be identified and consolidated into one centralized location and authority* on the agenda for the April 6th County Board Staff Meeting.

NOTE: Also in attendance were Maura Tolzin, Deputy Register of Deeds; Dave Fall and Julie Peter, Register of Deeds' Office; Toni Drammeh, County Assessor's Office; Don Thomas, County Engineer; Larry Worrell, County Surveyor; and Jim Langtry, County Engineer's Office.

ADDITIONS TO THE AGENDA

- a. Report on Nebraska Wesleyan University Master Plan

Workman reported that construction of a new campus center, improvements to existing buildings, elimination of parking on campus and additional off-campus residence units are proposed.

ACTION ITEMS

- a. Purchase of Eleven (11) Desk Chairs for Juvenile Probation

Dave Kroeker, Budget & Fiscal Officer, said a \$20,000 rebate credit for systems furniture, available in 4-6 weeks, could be applied to the purchase.

MOTION: Steinman moved and Hudkins seconded to approve the proposal to delay the purchase until the rebate credit is available. Steinman, Hudkins, Workman, Heier and Campbell voted aye. Motion carried.

- b. Consolidation of County Funds

Dave Kroeker, Budget & Fiscal Officer, reviewed *Consolidation of Funds, Consideration for FY01* (Exhibit C), noting the consolidation of funds will increase the General Fund cash reserves.

MOTION: Workman moved and Hudkins seconded to allow Dave Kroeker, Budget & Fiscal Officer, to implement the changes, subject to the County Attorney's review through a formal legal opinion request. Hudkins, Steinman, Workman, Heier and Campbell voted aye. Motion carried.

- c. Authorize Kerry Eagan, Chief Administrative Officer, to Sign Proxy for Fidelity Magellan Fund

MOTION: Heier moved and Hudkins seconded approval. Heier, Steinman, Workman, Hudkins and Campbell voted aye. Motion carried.

- d. Microcomputer Request C#2000-092, County Court, \$1,765.20 from the Microcomputer Fund for Three (3) Printers, Software Upgrades, Etc.

MOTION: Steinman moved and Heier seconded approval. Steinman, Heier, Workman, Hudkins and Campbell voted aye. Motion carried.

- 6 BOARD OF ZONING APPEALS: (A) APPEAL NO. 110, REQUESTED BY BRITT J. EHLERS ON BEHALF OF TODD LEWIS FOR A VARIANCE FROM 20 ACRES TO 13.09 ACRES ON PROPERTY GENERALLY LOCATED AT 20750 U.S. HIGHWAY 77; AND (B) APPEAL NO. 111, REQUESTED BY BRITT J EHLERS ON BEHALF OF TODD LEWIS FOR A VARIANCE FROM 20 ACRES TO 9.25 ACRES, FROM AVERAGE LOT WIDTH OF 550 TO 478.85 FEET; AND FROM A MINIMUM FRONTAGE OF 555 TO 478.85 FEET ON PROPERTY GENERALLY LOCATED AT 20900 U.S. HIGHWAY 77 - Mike DeKalb, Planning Department; Larry Worrell, County Surveyor; Mike Thew, Chief Deputy County Attorney and Diane Staab, Deputy County Attorney**

Mike DeKalb, Planning Department, reviewed County Board of Zoning Appeals No. 110 and No. 111 (Exhibits D, E & F). He explained that the property in question was part of a parcel surveyed and divided by the applicant's father in 1977. The surveys were filed with the County Engineer but not the Register of Deeds, as the owner assumed that these divisions were "grandfathered" under changes in the County Zoning Regulations enacted in 1979. The lots were transferred to the applicant in 1996 by warranty deeds. Subsequent condemnation action by the State revealed that four of the lots were sellable, but not buildable. DeKalb noted that two 20-acre lots could be created by dividing Lot 27 into two lots using the "farmstead provision and combining Lots 25 and 26, although the owner does not favor doing so.

DeKalb said the Board of Zoning Appeals has recommended denial, finding that unique and particular circumstances do not exist with the parcel and that the owner's failure to file the survey with the Register of Deeds was not uncommon.

Mike Thew, Chief Deputy County Attorney, said the State is taking right-of-way along Highway 77 and the value of the property will increase significantly if the lots are deemed buildable. He said a declaratory judgement action has been filed against the County seeking a determination that the survey was sufficient to create the lots. The plaintiffs have offered to dismiss this action if the variance is granted.

In response to a question from Heier, DeKalb said right-of-way taking does not affect density in this instance, as it is a surveyed irregular tract.

7 RURAL ROAD IMPROVEMENTS - Don Thomas, County Engineer; Larry Worrell, County Surveyor; Mike DeKalb, Planning Department; Diane Staab, Deputy County Attorney

Diane Staab, Deputy County Attorney, reviewed *Available Statutory Means for Financing and Improving Roads in Rural Subdivisions* (Exhibit G). These include Special Improvement Districts, Rural Road Improvements Districts and Sanitary and Improvement Districts.

Don Thomas, County Engineer, reviewed *Funding Options for Paved Subdivision Mileage* (Exhibit H).

Campbell said the County Board has never supported the concept of Rural Road Improvements Districts (R.I.D.), as the issuance of bonds to finance the road improvements counts as county debt. The County would also be responsible for assessments, which is a liability concern. She said R.I.D.'s have never occurred in the County, although residents of the Yankee Ridge Neighborhood Association and Hidden Valley Acres have expressed interest in doing so.

Staab said a subdivision may petition for an R.I.D., but the County can not be forced to approve it.

Mike DeKalb, Planning Department, said the County Board's policy has been to require paving of the entire subdivision, not individual roads. He also noted that the City opposes use of a Sanitary and Improvement Districts for rural road improvements, as it requires the City to assume that debt when there is annexation.

In response to a question from Eagan, Staab said roads must be built to County Road Standards for the County to assume maintenance.

Heier questioned whether the County Board should require paving of new subdivisions, regardless of acreage size.

Thomas said developments in close proximity to the City could be looked at as part of the Comprehensive Plan update.

Campbell said a funding mechanism would need to be in place for developers.

Board consensus to seek a County Attorney's Opinion on the funding issue.

8 LABOR NEGOTIATIONS AND A PERSONNEL MATTER - Georgia Glass, Personnel Director

MOTION: Steinman moved and Hudkins seconded to enter Executive Session at 10:47 a.m. for discussion of labor negotiations and a personnel matter. Steinman, Hudkins, Heier, Workman and Campbell voted aye. Motion carried.

MOTION: Heier moved and Steinman seconded to exit Executive Session at 11:15 a.m. Steinman, Heier, Workman and Campbell voted aye. Hudkins was absent from voting. Motion carried.

RETURNING TO ITEM 11d

MOTION: Workman moved and Steinman seconded to reconsider Item 11d. Workman, Steinman, Heier, Hudkins and Campbell voted aye. Motion carried.

MOTION: Steinman moved and Heier seconded to deny the County Court's microcomputer request and to suggest that the request be included in the next year's Microcomputer Fund budget. Steinman, Heier, Hudkins, Workman and Campbell voted aye. Motion carried.

9 KENO PREVENTION FUND RECOMMENDATIONS - Kit Boesch, Human Services Administrator

This item was dropped from the agenda.

10 NATIONWIDE RETIREMENT SOLUTIONS

Pete Daiker, Nationwide Retirement Solutions, said that approximately 4.8 million may still be moved out of the employees' fixed accounts. He suggested that the County notify employees of this fact, indicating that transfers will be on a first come basis. Once this aggregate amount is exceeded, employees seeking to transfer funds from the fixed account will be notified that a market adjustment will apply.

Eagan noted that some employees are still experiencing problems with their retirement accounts.

Daiker said those employees should contact Diane Fite, Plan Consultant, at (800) 321-7167, Extension 91745.

Daiker also reported that his position with Nationwide Retirement Solutions has been eliminated, effective March 31, 2000.

11 ACTION ITEMS

These items were moved forward on the agenda.

12 ADMINISTRATIVE OFFICER REPORT

a. Records Management Staffing

Eagan explained that Brian Pillard, Records & Information Manager, would like to expand imaging services but believes advanced technology may be too complicated for imaging staff comprised of developmentally disabled clients. He has proposed reducing this staff by half and hiring a Micrographics Technician to perform more advanced imaging duties.

Eagan noted that the County was a pioneer in the hiring of developmentally disabled clients and said it is unclear whether there are other job opportunities available for these individuals.

Steinman reported that the Regional Center has discontinued its Wagon Wheel Workshop which also employs developmentally disabled clients.

Board consensus to contact Community Alternatives of Nebraska to determine whether alternative employment is available in the community.

b. "Clean Your Files Day", April 22, 2000

Board consensus to participate and to include an article in the County Newsletter.

c. Opinion Request Regarding Beltway Procedure

- MOTION:** Steinman moved and Hudkins seconded to request a County Attorney's opinion, submitting the following questions:
1. What is the legal status of the preliminary selection of the far route for study made in December, 1998?
 2. Can the City and County change their decision and designate another route and if so, what proceedings must be followed?
 3. What are the legal effects if the City and County differ on a route selection?
 4. What actions and procedures are necessary for a final and binding route designation for the east beltway?

Steinman, Hudkins and Workman voted aye. Heier and Campbell abstained, due to a conflict of interest. Motion carried.

- d. Submission of Grant for Purchase of Conservation Easements on Behalf of Planning Department

Eagan reported on a request from Kathleen Sellman, Planning Director, to provide Griffin Grant Writing with the City's grant application to purchase conservation easements in the floodplain near Wilderness Park.

Campbell said the County has the contract with Griffin Grant Writing, although the City and County would both benefit from the grant.

Eagan said this grant also ties into the concept of a coalition of the City, County and Lower Platte South Natural Resources District (NRD) for establishment of an overall policy for acquisition of floodplains and conservation easements.

- MOTION:** Workman moved and Hudkins seconded to indicate the County's intent to pay the fees to Griffin Grant Writing in the event a grant is received for the purchase conservation easements in the floodplain near Wilderness Park. Workman, Hudkins, Heier, Steinman and Campbell voted aye. Motion carried.

- e. Request from Family Violence Council for Participation of County Board Representative in Planning Process

Steinman noted concern that participation would imply a conflict of interest, since the County provides funding.

Board consensus to decline participation in the planning process.

- f. Meeting with City Fire Chief Michael Spadt

Campbell said she met with City Fire Chief Michael Spadt and he indicated that the Lincoln Fire Department will probably submit a proposal to the City for ambulance service and is committed to serving rural residents.

Board consensus to include questions on whether the Lincoln Fire Department can legally serve outside the City limits and whether separate interlocal agreements with rural fire districts will be necessary in the request for a County Attorney's opinion on ambulance service.

Heier requested clarification of the issue of ambulance interception and transfer of patients at the City limits.

Eagan noted that the Lancaster Medical Society is seeking an integrated system of ambulance care under the direction of an independent medical director.

The Board requested a briefing by Doug Ahlberg, Emergency Management Director, on rural ambulance service at a Staff Meeting.

- g. Recognition of County Volunteers During National County Government Week, April 9-15, 2000

Hudkins suggested recognition of a group of volunteers from Hallam that mend and darn clothing for Lancaster Manor residents.

Board consensus to seek additional suggestions for volunteer recognition.

13 ADJOURNMENT

By direction of the Chair, the meeting was adjourned.

Bruce Medcalf
Lancaster County Clerk